

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

PHILMINGO JAMISON,	:	CIVIL ACTION NO. 1:05-CV-0831
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
EDWARD KLEM and	:	
DISTRICT ATTORNEY OF YORK	:	
COUNTY, PENNSYLVANIA,	:	
	:	
Respondents	:	

CONDITIONAL WRIT OF HABEAS CORPUS

AND NOW, this 22nd day of October, 2008, upon consideration of the petition for writ of habeas corpus (Doc. 1) and of the judgment and opinion (Doc. 35) issued by the United States Court of Appeals for the Third Circuit on the date hereof, and, for the reasons contained therein, it is hereby ORDERED that:

1. The petition for writ of habeas corpus (Doc. 1) is GRANTED.
2. In the cases of Commonwealth v. Jamison, Nos. 4425 CA 2000 and 4426 CA 2000, the Commonwealth of Pennsylvania is instructed, within sixty days of the date hereof, to either (a) release petitioner from his sentence or (b) vacate his conviction and sentence in said cases, allow petitioner to withdraw his guilty plea entered on July 9, 2001, and rearraign him on the aforementioned charges.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge